

JUSTICE DURAND REBUKED AGAIN

Contempt Proceedings of
Comic Opera Court Set Aside
by Judge Ritchie.

FLAGRANT CASE EXPOSED

GROWING DEMAND THAT MURRAY JUSTICE BE OUSTED.

The peculiar methods employed in the kangaroo court at Murray, presided over by Justice Durand, were exposed in a convincing manner yesterday morning when Judge Ritchie of the district court ordered the discharge of Walter Best, sentenced Saturday to pay a fine of \$7 for contempt of court by Durand or go to jail. Best went to jail and his attorney immediately prepared a writ of habeas corpus which was granted and Best released after a short but interesting hearing yesterday.

The proceedings in the case are, to say the least, unusual, and show to what lengths Durand and his associates will go to harass alleged debtors.

The suit was originally brought against Best and his wife by Francis G. Luke for an alleged \$32 debt, and Best's attorney filed an affidavit in which he alleged lack of jurisdiction of the court and asking for a change of venue to Dana T. Smith's court. This was ordered by Durand.

Violates His Own Order.

Then Durand, without notice to Best, reconsidered his action and unknown to anyone entered judgment against Best after, by his own order, the case had been transferred to another court and he had lost jurisdiction. Best was ordered then to appear before him to disclose what property he owned and his ability to pay the pretended judgment. Best failed to do the bidding of the comic opera judge and was arrested and brought before him on a charge of contempt and fined \$7, which he refused to pay. He was sent to jail and instituted the habeas corpus proceedings.

The methods of the Murray court are becoming daily more obnoxious to the judges of the district court who are denouncing with the appeals of the aggrieved parties. The manner in which Durand proceeds is so flagrant and open that it is palpable that there is a widespread demand that some action be taken to oust him from office. This could be done on the complaint of the county attorney and by proceedings in the district court. Such was the case in the celebrated Sken oyster cases in Ogden.

Another Victim Appears.

W. M. Offield, profligate by Judge Ritchie's decision in the Best case, applied yesterday to the district court for a writ of prohibition to prevent Durand from compelling him to pay a \$5 fine for contempt. Offield does not want to pay the fine and naturally does not want to go to jail as Best had to. He says that Durand entered a judgment against him in a case where no summons had been served and when he failed to appear on supplemental proceedings fined him for contempt. Judge Ritchie issued a temporary writ which will be in force until the case can be heard.

BURGLARS SCORE TWICE

Enter Residence of James A. Crocker and Office Emporium on Second South.

Burglars entered the home of James A. Crocker, 251 East Third South and thoroughly ransacked the house. A gold watch and chain and \$10 in cash are missing. Admittance was gained through a rear window.

Burglars also broke into the building at 28 West Second South, where the offices of the New York Central Railway company, the Hubbard Investment company, Smith Typewriter company and the F. M. Smith & Co. are located. The robbery occurred last night and out of eleven desks only two were broken open. It is supposed the thieves were frightened away before finishing their job. They got \$14 in stamps and \$4 in cash.

A private safe may be rented in the fire and burglar-proof vaults of the Salt Lake Security & Trust Co., 32-34 Main street, \$3.50 per year.

FAIL TO FIND BODY.

Large Raft to Be Employed in Systematic Search.

No trace has yet been found of the body of William McKittick, the young boy who was drowned in Jordan river. Every effort has been made to locate it. Expert swimmers and divers are still working in the stream and the river has been dragged continually since the boy fell in.

A large raft was built yesterday with eight ropes attached to it. Large hooks were fastened to the ends of the ropes and the raft will be launched at the point where the boy was drowned and will be taken to the mouth of the river.

FRED J. HILL'S FUNERAL.

Will Be Held This Afternoon From Masonic Temple.

The funeral of Fred J. Hill will be held today from the Masonic temple. The blue lodge will assemble at 2 o'clock in the afternoon and a public service will be held a half hour later.

The interment will be private, except for members of the Masonic fraternity.

AN AVAILABLE SECURITY

The secured certificate issued by this company may be placed as collateral for a loan almost equal to its face value, as it is negotiable and absolutely safe. The certificates are issued in denominations of one hundred dollars or upwards, bearing interest at the rate of 6 per cent, payable twelve times a year and secured by first mortgages on improved real estate worth twice the value of the mortgage.

SALT LAKE Security & Trust Co.
Security & Trust Bldg.,
32-34 Main St.
Capital and Surplus \$300,000.00.

ACCIDENTS INTO AN IRON CABLE

Mrs. L. R. Savage and Miss Mildred McMillan Receive Painful Injuries.

CAR IS BADLY DAMAGED

MR. SAVAGE, DRIVING, FAILS TO SEE OBSTRUCTION.

In an automobile accident at the Short Line depot yesterday afternoon Mrs. Leslie R. Savage was badly cut on the lower lip and chin and Miss Mildred McMillan was slightly cut about the face.

Mrs. Savage said that he was driving the car. On the seat beside him sat Mrs. Savage. In the tonneau were Misses Bessie and Mildred McMillan, daughters of Mr. and Mrs. H. G. McMillan, and two New York friends, Misses Gardner and Duffie, who have been visiting the Misses McMillan. The visitors were going to the station to take the Los Angeles limited for Chicago, en route to their homes.

As Mr. Savage drove the car across the tracks toward the train, Miss Gardner remembered that her baggage had not been checked. She called Mr. Savage's attention to the fact and he turned the car sharply toward the tent that is being used as a baggage room pending the erection of the new Short Line-San Pedro station. The glare of the sun on the glass wind shield of the automobile prevented Mr. Savage from seeing the heavy galvanized iron cable stretched from the end of the old depot buildings to the baggage tent.

The first intimation that anything was wrong came when the cable caught the wind shield, breaking it into a thousand pieces. Passing over the hood of the automobile the cable struck Mr. and Mrs. Savage and tossed them back into the tonneau. Mr. Savage escaped entirely without injury, but Mrs. Savage was, as stated, painfully cut either by flying glass or by the cable. Miss McMillan was slightly scratched by the broken glass. The damage to the automobile is estimated by Mr. Savage at about \$200. Had the car been traveling at a rapid rate of speed it is certain that serious injuries would have resulted.

TO ELECT DIRECTORS TODAY

Reorganization of Utah Independent Telephone Company Is Rapidly Assuming Shape.

The directors of the Utah Independent Telephone company and members of the syndicate which proposes to finance a reorganization of the company, met yesterday at the office of the company.

Elmer B. Jones, managing director, said he was unable to announce any definite results.

"We made excellent progress," said Mr. Jones, "but several meetings will be necessary to close up the deal. We have agreed not to publish the proceedings until the reorganization is completed."

Mr. Jones said nine directors will be elected at a meeting to be held at 3:30 o'clock this afternoon. It is the intention to increase the number of directors to thirty, but the additional directors will not be elected until amended articles of incorporation are filed.

WITH THE POLICE.

Everything in a bottle looked like booze to Frank Harris yesterday morning. It happened that yesterday morning was the morning after the night before for Harris, and he awoke with a headache and a horrible thirst. In front of him he saw a bottle which he supposed to contain water, and he drank from it. The bottle contained permanganate of potash. Harris was taken to the emergency hospital and Police Surgeon Samuel C. Paul attended him and he was soon out of danger.

Dick O'Connor cut in the head in a row that occurred in the Log Cabin saloon on East Second South street yesterday afternoon. He was taken to the Devlin Drug company and the wound dressed.

The ten vagrants rounded up in Pioneer park early Saturday morning were discharged by Judge Diehl, as there was nothing to show that they were doing anything but resting in a public park.

A. J. Vansels and Frank Larsen, who were arrested Sunday evening charged with selling liquor at the Salt Palace in violation of the Sunday closing law, appeared before Judge Diehl yesterday and asked to be given until today to enter their plea.

A bicycle belonging to Miss Flora Johnson, who lives at 174 East Second South, was stolen last night. It was under a tree in the yard of the house and she had only left it there a few minutes when the thief took it. It was a Yale model and was valued at \$25.

Frank Royland was arrested last evening by Policemen Betz and Heath. He was first charged with being drunk, but it afterward developed that he had attacked some young boys. The charge was changed to assault and battery.

REAL ESTATE TRANSFERS.

Lucy B. Henderson to Myrtle A. Loff, lots 17, etc., Sunset View addition.....\$ 1
Hubbard Investment Co. to George W. Lamos, lots 31, etc., Liberty Park addition.....1,200
Milton Liston to Mary C. Nelson, lot 12, Glendale park.....1
J. C. Virtue et al. to Emma L. Vunder, lots 35 and 36, block 2, West Grand View.....900
Johann Braken to John M. Riche, lot 6, block 16, five-acre plat A.....200
J. A. Fritsch to S. W. Taylor, lots 5, block 5, East Lawn.....450
L. L. Goddard and wife to M. C. Larcher, part lot 8, block 26, plat A.....700
Alice E. Worthington and husband to Ella T. Miller, part lot 1, block 14, plat F.....200
Ella J. Miller to Lillian Waugland, part lot 1, block 14, plat F.....500
Alda Shaw to Ruth Plumb, part lot 4, block 7, plat J.....2,650
Roxie T. Fenton to P. E. Snyder, lot 22, block 2, Wapoo subdivision.....100
Andrew Kilgus to Eva M. Armstrong, part lot 7, block 37, plat B.....6,500
Harrison E. Jenkins to John Norman, part lot 1, block 8, plat C.....600
Katie W. Hotchkiss to Annie M. Sheets, part lot 2, block 11, plat B.....4,250
Sarah O. Neiden to Francis E. Erickson, lots 24, etc., block 2, Erickson's subdivision.....11,000

Printing, Binding, Legal Blanks, Blank Books and Paper Ruling, Tribune-Reporter Printing Co., 66 W. 2d South, Salt Lake City. Phones 713.

S. D. Evans, Undertaker and embalmer, removed to new location, 48 South State street.

The "best" today, Vienna Walnut Bread, Vienna Bakery.
Salt Lake Photo Supply Co., Kodaks, Finishing, Framing, 112 South Main.

FIRST UTAH MUSICAL CHAUTAUQUA COMES TO END WITH AWARD OF PRIZES

The biggest audience of the musical chautauqua at Wandamere heard the closing program last night. The dancing pavilion was more than filled. It was packed. And the concluding numbers were well worth hearing. Then came the awarding of the prizes, and as each name was announced the cheering was tremendous. It was clear that every singer and every quartette, every instrumentalist and every chorus, had stanch friends in the audience. The awards, as a whole, seemed to give perfect satisfaction, though the adjudicators confessed that in some instances they had a difficult time arriving at selections.

The awards were as follows: Mixed chorus—Grand prize, Kimball piano, the Liberty Choral society; second prize, \$50, the Poulton chorus. Male quartette—First prize, \$25, Arion quartette; second prize, \$15, Apollo quartette.

Soprano solo—First prize, \$15, Miss Edna Evans; second prize, \$10, Miss Winifred Smith; third prize, Miss Kathleen Fitzpatrick.

Contralto solo—First prize, \$15, Miss Hal Foster; second prize, \$10, Miss Beatrice C. Thomas; third, Miss Elma Young.

Tenor solo—First prize, \$15, William Holmes; second prize, \$10, James Sneddon; third, John T. Hand.

Baritone solo—Second prize, \$10, Melvin Peterson; third, Ivor Brind. The adjudicators in this contest did not deem any of the entrants worthy of the first prize.

Piano solo, seniors—First prize, \$15, Mar-

lan Cannon; second prize, \$10, Esther Robinson; third, Tillie Flamm.

Piano solo, juniors—First prize, \$10, Mae Hawley; second prize, \$5, Rosa Durand; third, Ethel Beesley.

Violin solo, seniors—First prize, \$15, Morris Andrews; second prize, \$10, Edward Fitzpatrick; third, Helen Hartley.

Violin solo, juniors—First prize, \$10, Roman Hyde; second prize, \$5, George Klink; third, Clarence Burton.

The third prize in each instance is to be a certificate of merit, signed by the adjudicators.

The first musical chautauqua ever held in Salt Lake City goes into history as a distinct success. The greatest interest was shown by the public in all the programs and nearly all the performers acquitted themselves with decided credit.

As has been said before, the chautauqua would have been worth while if only for its demonstration of the fact that Utah's musical talent is not in the slightest danger of extinction. If the young vocalists and instrumentalists who were heard during last week and at last night's program continue to study as hard in the future as they have apparently studied in the past, the state will find the state well to the fore in the world of music.

To John J. McClellan and Fred Graham, who had charge of the chautauqua and who worked unceasingly to make it the success it was, the thanks of the music lovers of Salt Lake City are due. It was generally expressed last night that Messrs. McClellan and Graham will make the musical chautauqua an annual event.

Two supposed wives and many

creditors looking for Capt. Stoll.

have the same right in Chicago, and a host of creditors with claims amounting to thousands are on his trail. So Captain Frederick F. Stoll, superintendent of the Chicago Police, is looking for him.

Cleveland, once captain of the Illinois National Guard, and lately president of the Suburban Builders' association, has gone into retirement.

The retirement means that since last Friday neither the wives nor the creditors, nor the Broadway restaurants, where he was a most liberal patron, have seen or heard of him.

Stoll's disappearance followed closely on a call by Mrs. Julia Garrett Stoll, at the Hotel Adony.

It is admitted that the call was full of incident and included chiding, the free use of a parol, and use of words, winding up with a fainting fit.

It was Mrs. Alma Earle Stoll who was choked by Mrs. Julia Garrett Stoll. It pointed out the wretched Mercury blow from the parol, and also the words, and then the other alleged wife turned up.

Captain Stoll is a former resident of Salt Lake City, and was director general of the Elks' carnival here five years ago.

"BUTCH," OF ASSOCIATED PRESS, GETS RUSH MESSAGE FROM "MRS. BUTCHER"

A messenger boy with a figure 2 on his hat called into the office of the Associated Press.

"Where's Mr. Butcher?" he inquired, with the innocent assurance of the well-bred messenger.

It happens that one of the operators is known as "Butch" Laughlin and the unwelcome news of the messenger was seized by a messenger as construed as a mild bit of sarcasm. Accordingly "Butch" was pointed out to the messenger.

The wingless one, in a stage whisper, delivered himself of the following:

"Say, old man, your wife is waiting for you in the West First South."

"Better go over there right away," he added, seeing that "Butch" looked puzzled and hesitated.

After waiting a time for anything that might turn up, on an answer to a tip, No. 2 scuffed out.

"Butch" smoked a couple of pipes and decided he'd better look into the matter. He hadn't the least idea in the world that "Mrs. Butch" was at the address given, but still—

Here the scene shifts to No. 69 West First South. "Butch" was a bit uneasy when he noticed the character of his surroundings at the first landing.

He was shown into a dimly lighted room and a woman waited with two children.

"This is worse than I thought," muttered "Butch" to himself, he hadn't counted on any children.

The lady drew him gently to a window and a light broke in.

"You are not my husband," she exclaimed. "Get out of here, you scoundrel."

"Scuse me," said "Butch" as he departed, meekly wondering what it was all about.

It developed later that a Mrs. Butcher and her two children had arrived in town from Newhouse expecting to find her husband, who was to be here to meet her. By some mistake the children gave Mrs. Butcher the wrong address of the meeting place, and when she arrived here he could not be found. While she was telephoning and trying in all possible ways to locate him, he was endeavoring to find her. All day long the search kept up, and at last, in the middle of the night, a mutual friend they happened to find each other. During her quest Mrs. Butcher was informed that a Mr. Butcher was employed at the Associated Press office here. Hence the mistake.

CERTIFICATES AWARDED.

Hereafter Optometrists Must Pass an Examination.

The Utah state board of examiners in optometry announces the following successful applicants for certificates, in addition to the list already published: C. M. Peterson, Andrew A. Birn and W. L. Chester, Salt Lake; Harry M. Vance, Pleasant Grove; Frederick Cliff, Provo; William G. Freiday, Ogden.

A number of applicants were refused certificates on grounds that they were not bona fide practitioners at the time the new law went into effect. Hereafter all applicants will be required to pass an examination before being awarded certificates.

The examining board consists of L. W. Snow, H. O. Jensen and F. J. Alexander.

When you want good printing call on the Century Printing Co., Salt Lake City, 165-167 South West Temple St. Both phones, 654.

Hereafter Optometrists Must Pass an Examination.

LIFE GIVES HIM DOUBLE CROSS

Elmer Hill Sues to Recover Property Valued at \$60,000.

LIFE'S SAVINGS INVOLVED

ALL DEED TO WIFE IN PERIOD OF ILL-HEALTH.

Elmer Hill is of the opinion that he trusted his wife, Jennie E. Hill, too much. In a complaint filed in the district court yesterday he asserts that on January 2, 1906, while in ill health, he deeded to her all his property, valued at about \$60,000, to manage. Now he has recovered his health, but not his property, and he says that his wife has gone so far as to oust him from their home and to make a will giving all to her relatives.

The story told by Hill is correct, the performance of Mrs. Hill would do credit to a Wall street financier and a fit subject for a dissertation by Tom Lawson. It indicates that "frenzied finance" is not confined to the east or the male persuasion.

The property includes several mining claims in Bingham canyon, among them being the Toughten reserve in Markham gulch, also interests in several other several thousand shares of stock. In addition there is a tract of land in Bingham on which is situated the Elmerston hotel and several other buildings.

Gets \$10 of \$3,200.

For the past eighteen months the wife has controlled all this property, has sold part of the stock and has derived considerable other revenue, asserts the husband. Of the total amount received she has given her husband \$10, telling him that it was his share of the sale of stock for \$3,200.

It also appears that husband and wife have a joint bank account at the Commercial National and after the transfer of the property was made the wife notified the bank that her husband had no more interest in the account and since then he has been unable to secure any money.

The complaint says: "All the property described was acquired, paid for, owned and held by the husband, and the wife, except the plaintiff and the defendant contributed nothing thereto in her own right, either in dollars or cents, and except the necessary duties of a wife to her husband."

Work of a Lifetime.

It is also alleged that at all times since they were married, since 1880, ago, the plaintiff has supported his wife in a suitable manner and has provided her with the necessities of life, as well as the necessities of life. Hill says further that the only reason that he conveyed the property to his wife was that he was unable to manage it because of ill health, and that there was no consideration for the conveyance, he reposing absolute confidence in her.

"The accumulation of said property," says the complaint, "has been the work of a lifetime of this plaintiff, and he is now deprived in his old age of the same he will be left impecunious."

Judge Ritchie yesterday granted a restraining order preventing the defendant from disposing of any of the property until the suit is settled.

LOCAL BRIEFS

RETURN TO SALT LAKE—Dr. and Mrs. R. H. Pinkerton have returned from a trip to San Francisco and Portland.

OUTING AT SALT LAKE—An outing will be given at Salt Lake August 5 for the children of the Jewish Sunday school.

OPTOMETRISTS MEET—The Utah association of optometrists met last evening at the Elks' hall. The speakers were J. A. Rogers, president of the Illinois association, and J. A. Rogers, president of the Illinois association.

LEAVE FOR EAST—A. H. Crabbe and daughter Ivy left for an eastern trip last night. They were accompanied by Mrs. W. C. Crabbe.

SAN DIEGO BOOMING—J. C. Lyon has returned from a stay of several weeks in California. Mr. Lyon spent some time in San Diego. He considers Coronado beach the finest resort in Southern California and believes that San Diego is about to experience a more rapid growth than ever before in its history.

More people are all the time appreciating San Diego's advantages as an all-the-year-round resort, and Mr. Lyon says he will be surprised if its population does not increase rapidly during the next few years.

UNIFORM LEGISLATION CONFERENCE—The executive committee of the National Conference of Commissioners for the Promotion of Uniform Legislation has notified the Utah commissioners that the seventeenth annual convention of that body will meet at Portland, Me., August 22 to 25. The Utah commission was authorized by the last legislature and consists of Stephen H. Love, president of the senate, C. R. Hollingsworth, senator from Weber county, and Ashby Snow, a local attorney.

TABERNALE ORGAN RECITAL.

J. J. McClellan will give an organ recital in the tabernacle at 5 o'clock this afternoon. The program follows:

"Marche Funere".....Chopin
"Chant Seraphique".....Guilmant
"Andante, Fourth Organ Symphony".....Widor
Old melody.....Arranged by Performer
"Toccata, Sixth Organ Symphony".....Widor
"Pomp and Circumstance".....Elgar

Ask for that NEW BREAD at your grocery, Vienna Walnut Bread.

CATARRH CAN BE CURED.

Kill the Germs by Breathing Hy-o-mei—Gives Quick Relief.

Many people who have suffered with catarrh for years naturally feel that the disease cannot be cured, and become discouraged.

Their failure to get relief is due to the fact that they have not used the right remedy. Catarrh is an affection of the head, throat and lungs, and cannot be cured by stomach dosing.

The only scientific and natural treatment for this disease is Hy-o-mei, which is breathed through a neat pocket inhaler, so that its healing medicated air reaches the most remote parts of the system.

Hy-o-mei is the only cure for catarrh that has ever been sold with the understanding that it was to cost absolutely nothing unless it cured. F. C. Schramm sells Hy-o-mei in this way, and F. C. Schramm is always ready to refund the money if it does not relieve and cure catarrh.

The healing and antiseptic balsams of Hy-o-mei perform their purpose to perfection, and by using this remedy for a few times each day you can soon cure yourself of any catarrhal troubles. A complete Hy-o-mei outfit consisting of a bottle of Hy-o-mei and an inhaler costs but \$1.00.

For sale by F. C. Schramm, corner First South and Main streets, "where the cars stop."

No Mystery About the Goodness of Sweet's Milk Chocolates

It is the simple and common sense application of Candy Makers' skill with the use of selected high grade ingredients.

A matter of knowing the requisites of critical tastes and the ability to satisfy them.

Pretty packages full of deliciousness.

SWEET CANDY CO.
Manufacturing Confectioners.

The young officers natty attired in immaculate white dress uniforms, and the debutantes in their fluffy gowns moped a bit as they thought of the departure of the regiment for the Philippines. Many a Salt Lake girl has a youthful hero in the regiment who will carry to the orient her heart and her love. Perhaps he will keep them.

There were 150 guests from Salt Lake at the ball, most of them close friends of Colonel Lockwood. The affair was informal. No formal addresses or toasts were made; no remembrance presented him, and the affair was as free from the stereotyped conventionalities of a formal reception, as the citizens of Salt Lake. In addition to the guests from Salt Lake the entire garrison was present at the function.

Novel Announcement.

The dance was held in the post hall on the reservation. While the guests were arriving, Colonel and Mrs. Lockwood were assisted in receiving by Major and Mrs. Pendleton and Lieutenant and Mrs. Burton. Until the dance began the post orchestra played the music of the program. At 9 o'clock the full regimental band in dress uniform marched into the hall playing the beautiful "Semper Paratus." At the bugle call eighteen buglers played it in unison. The playing of the band was the signal for the commencement of the two-step which began the dance program.

Festooned about the hall were the regiments of the post. The engineer and signal military trappings were about the room and on the walls. Two crossed flags were over the entrance and above each window.

Captain John E. Woodward had charge

Yes, We Know It's Hot

Just a suggestion though, that the worst is yet to come.

GET INTO COOL CLOTHES

For the most satisfaction get into the Siegel kind.

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